



UNITED STATES DEPARTMENT OF COMMERCE  
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SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
07/888,857	05/27/92	KWAK	H P53521

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E1M1/0303

FRABINER	
ART UNIT	PAPER NUMBER
2108	21

DATE MAILED:

03/03/95

Below is a communication from the EXAMINER in charge of this application

COMMISSIONER OF PATENTS AND TRADEMARKS

### ADVISORY ACTION

☒ THE PERIOD FOR RESPONSE:

a) ☒ is extended to run 4 months ~~the statutory period~~ from the date of the final rejection

b) ☐ expires three months from the date of the final rejection or as of the mailing date of this Advisory Action, whichever is later. In no event however, will the statutory period for the response expire later than six months from the date of the final rejection.

Any extension of time must be obtained by filing a petition under 37 CFR 1.135(a), the proposed response and the appropriate fee. The date on which the response, the petition, and the fee have been filed is the date of the response and also the date for the purposes of determining the period of extension and the corresponding amount of the fee. Any extension fee pursuant to 37 CFR 1.17 will be calculated from the date of the originally set shortened statutory period for response or as set forth in b) above.

☐ Appellant's Brief is due in accordance with 37 CFR 1.192(a).

☒ Applicant's response to the final rejection, filed 2-10-95 has been considered with the following effect, but it is not deemed to place the application in condition for allowance:

1. ☐ The proposed amendments to the claim and/or specification will not be entered and the final rejection stands because:

- a. ☐ There is no convincing showing under 37 CFR 1.116(b) why the proposed amendment is necessary and was not earlier presented.
- b. ☐ They raise new issues that would require further consideration and/or search. (See Note).
- c. ☐ They raise the issue of new matter. (See Note).
- d. ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal.
- e. ☐ They present additional claims without cancelling a corresponding number of finally rejected claims.

NOTE:

2. ☐ Newly proposed or amended claims \_\_\_\_\_ would be allowed if submitted in a separately filed amendment cancelling the non-allowable claims.

3. ☒ Upon the filing an appeal, the proposed amendment ☒ will be entered ☐ will not be entered and the status of the claims will be as follows:

Claims allowed: 1-8 and 17-38  
Claims objected to: \_\_\_\_\_  
Claims rejected: 9-16

However;

☐ Applicant's response has overcome the following rejection(s): \_\_\_\_\_

4. ☒ The affidavit, exhibit or request for reconsideration has been considered but does not overcome the rejection because of remaining objections and rejections. Please see attached sheet.

5. ☐ The affidavit or exhibit will not be considered because applicant has not shown good and sufficient reasons why it was not earlier presented.

☐ The proposed drawing correction ☐ has ☐ has not been approved by the examiner.

☐ Other

*Brubaker*  
PATENT EXAMINER  
RECEIVED

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**ATTACHMENT TO ADVISORY ACTION**

The following objections and rejections continue to stand or have arisen in response to applicant's amendment of 2-10-95:

1. The drawings are objected to because Figure 3 is not designated by a legend such as "Prior Art". The legend is necessary in order to clarify what applicant's invention is. MPEP § 608.02(g). Correction is required.
2. This application has been filed with informal drawings which are acceptable for examination purposes only. Formal drawings will be required when the application is allowed.
3. The disclosure is objected to because of the following informalities: The description of figures 1-3 of a conventional color video printer at pages 3-8 of the detailed description of the invention section of the specification should be in the "background of the invention" section. This is due to the fact that figures 1-3 contain prior art, and prior art should be discussed in the background of the invention section of the specification as specified by MPEP 608.01(d). Furthermore, only a detailed description of the invention should be in the detailed

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description of the invention section; see MPEP 608.101(g).  
Appropriate correction is required.

4. Claims 9-16 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 1 line 7, "columns" lacks proper antecedent basis.

Claim 9 line 5, the "means for storing..., and applying..." is indefinite because it is not supported by recitation in the claim of sufficient structure to accomplish the function.

5. The functional recitation in claim 10 that the data conversion means performs two functions, that of "storing" color video data and of "selectively reading" the stored color video data is indefinite because it is not supported by recitation in the claim of sufficient structure to accomplish the function. The recitation of more than one function for the data conversion means makes the structure indefinite since it is not clear what part of the data conversion means is performing each of the 2 different functions.

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6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eric Frahm whose telephone number is (703) 308-1317.



EF  
February 23, 1995



BENJAMIN R. FULLER  
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ART UNIT 2108